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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,) Case No.: 2: 05-cv-0443-MCE-KJM
12 Plaintiff,)
13 v.) FINAL ORDER
14 MICHAEL C. DuPRATT,)
15 Defendant.)
16

17 Through this action, the United States of America (“Government”) alleged that Defendant
18 Michael C. DuPratt (“Defendant”) was in default of a contract entered into between he and the U.S.
19 Public Health Service, Department of Health and Human Services. Specifically, the Government
20 averred Defendant was in breach of his contractual and statutory obligations to repay funds awarded
21 him through the National Health Service Corps Scholarship Program. By Memorandum and Order
22 issued November 6, 2006, the Government’s motion for summary judgment was granted. On
23 November 15, 2006, the Government filed a Notice of Plaintiff United States of America’s Filing
24 Accounting of Damages Owed by Defendant in Compliance with the Court’s November 6, 2006
25 Order, along with the Declaration of Barry M. Blum (“Blum Declaration”) in support thereof.

26 Based upon the findings set forth in the Court’s November 6, 2006 Memorandum and Order,
27 the Blum Declaration and the Government’s November 15, 2006 Accounting of Damages, and the
28 Court being otherwise fully advised in the premises, it is hereby

1 ORDERED AND ADJUDGED:

2 1. The findings and conclusions set forth in the November 6, 2006 Memorandum and Order
3 are incorporated herein by reference.

4 2. The Government is entitled to judgment as a matter of law.

5 3. Judgment shall be entered against Defendant as follows:

6 a) As of November 15, 2006, defendant owed \$277,824.82 in principal and
7 \$518,084.13 in interest, for a total sum of \$795,908.95. Blum Decl. at ¶ 14. Damages continue to
8 accrue on the principal in the amount of \$105.22 per day until judgment is entered. *Id.* at ¶ 15.

9 Accordingly, Defendant is adjudged to pay to the Government damages in the amount of
10 \$796,014.17, judgment *nunc pro tunc* to November 16, 2006.¹

11 b) Post-judgment interest on all amounts awarded by this Order, at the current legal
12 rate, computed daily and compounded annually until paid, pursuant to 28 U.S.C. § 1961, judgment
13 *nunc pro tunc* to November 16, 2006.

14 c) Court costs of \$49.62 for U.S. Marshals' fees, and \$250.00 docket fees, for a total
15 of \$299.62, pursuant to 28 U.S.C. §§ 1920, 1921 and 1923.

16 IT IS SO ORDERED.

17 Dated: March 26, 2007


18 _____
19 MORRISON C. ENGLAND, JR.
20 UNITED STATES DISTRICT JUDGE

21 Presented by:

22 McGREGOR W. SCOTT
United States Attorney

23 /s/ *Bobbie J. Montoya*

24 By: _____
BOBBIE J. MONTOYA
25 Assistant U.S. Attorney

26 _____
27 1 Damages are being calculated as if final judgment were being entered on November 16,
28 2006, the day after the Government submitted its accounting of damages, so that Defendant is not
prejudiced by the delay in the entry of final judgment.